



COUNTY OF MAUI  
DEPARTMENT OF PLANNING  
250 S. HIGH STREET  
WAILUKU, HI 96793  
270-7735 (office) 270-7634 (fax)

## SPECIAL MANAGEMENT AREA ASSESSMENT APPLICATION

**SOURCE OF LEGAL AUTHORITY:** Chapter 205A, Hawaii Revised Statutes (HRS)  
Lanai Planning Commission Rules  
Maui Planning Commission Rules  
Molokai Planning Commission Rules

### GUIDELINES

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The purpose of the Special Management Area Assessment is to regulate any use, activity or operation that qualifies as a **"Development."** This Assessment Application provides a means to preserve, protect and where possible, restore the natural resources of the Coastal Zone of Hawaii by establishing special controls on development within the areas along the shoreline. These controls are necessary so as to avoid the permanent loss of valuable resources, foreclosure of land use, and management options and further insure that adequate public access is provided to beaches, recreational areas, and natural reserves.

Upon submittal of a completed SMA Assessment Application, the Department of Planning (Department) will review to determine whether the proposed action qualifies as a **"Development."** Upon review, the Department shall make a determination and notify the applicant that the proposed action is: (1) **Exempt**, (2) requires a **SMA Minor Permit**, (3) requires a **SMA Major Permit**, (4) requires a **SMA Emergency Permit**, or (5) **cannot be processed** due to inconsistencies with the county general plan, community plan, and zoning.

Per Section 205A-22, HRS, a **"Development"** does not include the following and may be exempt from the SMA rules, provided the use, activity, or operation does not have a cumulative impact, or significant environmental or ecological effect on the SMA:

1. Construction of a single family residence, including accessory unit, that is not part of a larger development;
2. Repair or maintenance of roads and highways within existing rights-of-ways;
3. Routine maintenance dredging of existing streams, channels and drainage ways;
4. Repair and maintenance of underground utility lines, including, but not limited to, water, sewer, power and telephone and minor appurtenant structures, such as pad mounted transformers and sewer pump stations;
5. Zoning variances, except for height, density, parking and shoreline setback;
6. Repair, maintenance or interior alterations to existing structures;
7. Demolition or removal of structures, except those structures located on any historic site designated on national or state registers;
8. Use of any land for the purposes of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural, horticultural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals or other agricultural purposes;
9. Transfer of title of land;
10. Creation or termination of easements, covenants, or other rights in structures or land;
11. Subdivision of land into lots greater than twenty acres in size;
12. Subdivision of a parcel of land into four or fewer parcels when no associated construction activities are proposed; provided that any future subdivision of the resulting parcels thereafter shall not qualify for this exception;
13. Installation of underground utility lines and appurtenant aboveground fixtures less than four feet in height along existing corridors;
14. Structural and nonstructural improvements to existing single-family residences where otherwise permissible; and
15. Nonstructural improvements to existing commercial structures.

**"Development"** projects which meet the following criteria may be issued an SMA Minor Permit:

1. The proposed action constitutes a development;
2. Has a valuation not in excess of \$125,000.00;
3. Has no significant adverse environmental or ecological effect, taking into account potential cumulative effects and;  
and
4. Is consistent with the objectives, policies, and SMA guidelines set forth in Hawaii Revised Statutes Chapter 205A and is consistent with the County General Plan, Zoning and Subdivision Codes and other applicable ordinances.



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### INSTRUCTIONS

**The following submittals are required for processing. Please be advised that the absence of any of the following documents may delay processing your application.**

- ☐ Application Form (See Page 3-4)
- ☐ Evidence that the applicant is the owner or lessee of record of the real property.  
– OR –  
A notarized letter of authorization from the legal owner if the applicant is not the owner and evidence that the authorization is from the legal owner.
- ☐ *Note: If the applicant and owner are one and the same, a notarized letter of authorization is not required.*  
A certified shoreline survey, if the land abuts the shoreline. Survey shall be the actual field location of the shoreline as prepared by a land surveyor registered in the State of Hawaii. The survey maps developed by the registered land surveyor shall bear the surveyor's signature and date of field survey and the certifying signature and date of the chairman of the Board of Land and Natural Resources.  
  
*Islands of Maui and Lanai - Submit two (2) sets, including one (1) original*  
*Island of Molokai - Submit three (3) sets, including one (1) original*
- ☐ Two (2) sets of a plot plan of the land drawn to scale on which the proposed action is to occur.  
  
*Islands of Maui and Lanai - Submit two (2) sets, including one (1) original*  
*Island of Molokai - Submit three (3) sets, including one (1) original*
- ☐ Two (2) sets of a plan designating in dimensions the location of the proposed action on the land. If structures are included in the action, the plans shall also show a dimensioned floor plan, sections, elevations, and other physical features. Said plans must be dated.  
  
*Islands of Maui and Lanai - Submit two (2) sets, including one (1) original*  
*Island of Molokai - Submit three (3) sets, including one (1) original*
- ☐ Photographs identifying the area where the proposed action is to occur.
- ☐ Non-refundable Filing Fee based upon Table 1 below.  
If paying by check, make payable to: *County of Maui, Director of Finance*
- ☐ Signed Zoning and Flood Confirmation Form (Form confirmed and signed by the Zoning Administration and Enforcement Division of the Maui Planning Department). (See Page 6)
- ☐ If the proposed action triggers Chapter 343, HRS, related to Environmental Impact Statements, submit a completed Environmental Assessment (EA), Environmental Impact Statement (EIS), or a letter of exemption from Chapter 343, HRS, from the proper authority. (See Page 5)
- ☐ Any other information and documentation required by the Planning Department to properly process the application.

**Table 1 - Application Filing Fee**

Total Valuation of Proposed Action*	Non-refundable Filing Fee
\$0.00 to \$10,000	\$ 55
\$10,001 to \$125,000	\$110
\$125,001 and up	\$165
Additional review required by changes, additions, or revisions	\$ 55
After the Fact Applications: Development for which a permit is required is started before obtaining a permit	\$1,000, PLUS 10% - 50% of Project Valuation
* Valuation - estimate of the total cost or fair market value as estimated by an architect, engineer, or contractor licensed by the Department of Commerce and Consumer Affairs, State of Hawaii; or, by the administrator of Department of Public Works, Development Services Administration	



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## SPECIAL MANAGEMENT AREA ASSESSMENT APPLICATION

### APPLICATION FORM

Please print legibly or type the following.

#### APPLICANT INFORMATION

Name(s): \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number(s): (bus.) \_\_\_\_\_ (hm) \_\_\_\_\_ (fax) \_\_\_\_\_ (cel) \_\_\_\_\_  
Signature(s): \_\_\_\_\_  
Contact Name(s): \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number(s): (bus.) \_\_\_\_\_ (hm) \_\_\_\_\_ (fax) \_\_\_\_\_ (cel) \_\_\_\_\_

#### OWNER INFORMATION

Name(s): \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone Number(s): (bus.) \_\_\_\_\_ (hm) \_\_\_\_\_ (fax) \_\_\_\_\_ (cel) \_\_\_\_\_  
Signature(s): \_\_\_\_\_

#### PROPERTY/PROJECT INFORMATION

Tax Map Key No.: \_\_\_\_\_ Total Area: \_\_\_\_\_ sq.ft/acreage  
Location: \_\_\_\_\_  
(Street Address, City and/or Description)

#### DESCRIPTION OF PROPOSED ACTION

**Written description of the proposed action shall include, but not be limited to: use, length, width, height, depth, building material(s), and statement of objectives of the proposed action.**

**Attach additional sheets, if needed.**

Describe Existing Use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe Proposed Action: \_\_\_\_\_  
*Include a description of all proposed ground altering activities (e.g., area of disturbance, quantity of fill, depth of excavation, etc.).* \_\_\_\_\_  
\_\_\_\_\_

Building Permit Application No. (if applicable) : \_\_\_\_\_

Valuation: \$ \_\_\_\_\_

*Total cost or fair market value as estimated by an architect, engineer, or contractor licensed by the Department of Commerce and Consumer Affairs, State of Hawaii; or, by the administrator of Department of Public Works, Development Services Administration.*



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### ASSESSMENT INFORMATION

**Please print legibly or type the following. Attach additional sheets, as needed. Please be advised that the absence of any of the following information may delay processing.**

The environmental setting of the property (description of property): \_\_\_\_\_

*Provide a description of any anticipated impacts, as follows:*

- (A) Affects natural or cultural resources (i.e., historic site, excavation on vacant land): \_\_\_\_\_
- (B) Curtails the range of beneficial uses of the environment: \_\_\_\_\_
- (C) Conflicts with the county's or the state's long-term environmental policies or goals (i.e. State Plan, County General Plan, and Community Plan): \_\_\_\_\_
- (D) Affects the economic or social welfare and activities of the community, county, or state: \_\_\_\_\_
- (E) Involves secondary impacts, such as population changes (i.e. increase/decrease) and increased effects on public facilities, streets, drainage, sewage, and water systems, and pedestrian walkways (i.e. increased demands and deficiencies): \_\_\_\_\_
- (F) By itself has no significant adverse effects but cumulatively has considerable effect upon the environment (i.e. increased traffic and deficiencies in services) or involves a commitment for larger actions (i.e. more public infrastructure, such as, roads, waterlines, sewers, etc.): \_\_\_\_\_
- (G) Affects a rare, threatened, or endangered species of animal or plant, or its habitat (i.e. wetlands, natural area reserve, refuge): \_\_\_\_\_
- (H) Is contrary to the state plan, county's general plan, appropriate community plans, zoning and subdivision ordinances: \_\_\_\_\_
- (I) Affects air or water quality or ambient noise levels (i.e. construction impacts): \_\_\_\_\_
- (J) Located in and does it affect an environmentally sensitive area, such as flood plain, shoreline, dunes, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh waters, or coastal waters: \_\_\_\_\_
- (K) Alters natural land forms (i.e. cut and fill, retaining walls) and existing public views to and along the shoreline: \_\_\_\_\_
- (L) Is contrary to the objectives and policies of chapter 205A, HRS: \_\_\_\_\_



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### CHAPTER 343, HRS, COMPLIANCE

**Complete the following worksheet to determine whether the proposed action triggers Chapter 343, HRS, relating to Environmental Impact Statements.**

**1 Does the proposed action involve one or more of the following: (check all that apply)**

***If checked, the proposed action triggers Chapter 343, HRS. Continue with Item 2 below.***

***If not checked, the proposed action does not trigger Chapter 343, HRS. Proceed with Page 6 of the application.***

- |  |  |
|--|--|
| <input type="checkbox"/> Use of state or county lands or funds | <input type="checkbox"/> Reclassification of conservation lands  |
| <input type="checkbox"/> Use of conservation district lands    | <input type="checkbox"/> Construction/modification of helicopter facilities  |
| <input type="checkbox"/> Use of shoreline area                 | <input type="checkbox"/> Propose any: (a) wastewater facility, except an individual wastewater system or a wastewater facility serving fewer than fifty (50) single-family dwellings or the equivalent; (b) Waste-to-energy facility; (c) Landfill; (d) Oil refinery; or (e) Power-generating facilities |
| <input type="checkbox"/> Use of historic site or district      |  |
| <input type="checkbox"/> Amendment to county general plan      |  |

**2 Does the proposed action qualify for one or more of the following exemption classes?**

***If checked, submit a letter of exemption from the proper authority.***

***If not checked, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required. Submit the completed document with the application.***

- ☐ Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing;
- ☐ Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced;
- ☐ Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to:
  - 1. Single-family residences less than 3,500 square feet not in conjunction with the building of two or more such units;
  - 2. Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures;
  - 3. Stores, offices, and restaurants designed for total occupant load of twenty persons or less per structure, if not in conjunction with the building of two or more such structures; and
  - 4. Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements;
- ☐ Minor alterations in the conditions of land, water, or vegetation;
- ☐ Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource;
- ☐ Construction or placement of minor structures accessory to existing facilities;
- ☐ Interior alterations involving things such as partitions, plumbing, and electrical conveyances;
- ☐ Demolition of structures, except those structures located on any historic site as designated in the national register or Hawaii register as provided for in the National Historic Preservation Act of 1966, Public Law 89-665, 16 U.S.C. §§470, as amended, or chapter 6E, HRS;
- ☐ Zoning variances except shoreline set-back variances; and
- ☐ Continuing administrative activities including, but not limited to purchase of supplies and personnel-related actions.

**COUNTY OF MAUI  
DEPARTMENT OF PLANNING  
ZONING AND FLOOD CONFIRMATION REQUEST FORM**

APPLICANT: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PROJECT NAME: \_\_\_\_\_  
ADDRESS AND/OR LOCATION: \_\_\_\_\_  
TMK: NUMBER(S): \_\_\_\_\_

**ZONING INFORMATION**

STATE LAND USE \_\_\_\_\_ COMMUNITY PLAN \_\_\_\_\_

COUNTY ZONING \_\_\_\_\_

**OTHER SPECIAL DISTRICTS**

\_\_\_\_ Special Management Area  
\_\_\_\_ Shoreline Setback Area  
\_\_\_\_ Country Town Design District  
\_\_\_\_ Lahaina National Historic Landmark District  
\_\_\_\_ Maui Redevelopment Area  
\_\_\_\_ Other \_\_\_\_\_

**FLOOD INFORMATION**

FLOOD HAZARD AREA\* ZONE \_\_\_\_\_

BASE FLOOD ELEVATION \_\_\_\_\_ MEAN SEA LEVEL, 1929 NATIONAL  
GEODETIC VERTICAL DATUM OR FOR FLOOD ZONE A0, FLOOD DEPTH \_\_\_\_\_  
\_\_\_\_\_

FLOODWAY [ ]Yes [ ]No

FLOOD DEVELOPMENT PERMIT IS REQUIRED [ ]Yes [ ]No

\* For FLOOD HAZARD AREA ZONES B OR C; A FLOOD DEVELOPMENT PERMIT would be required if any work is done in any drainage facility or stream area that would reduce the capacity of the drainage facility, river, or stream, or adversely affect downstream property.

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**FOR COUNTY USE ONLY**

REMARKS/COMMENTS: \_\_\_\_\_

- ☐ Additional information required.
- ☐ Information submitted is correct.
- ☐ Correction has been made and initialed.

REVIEWED AND CONFIRMED BY: \_\_\_\_\_

SIGNATURE \_\_\_\_\_  
ZONING ADMINISTRATION AND ENFORCEMENT DIVISION

DATE \_\_\_\_\_

(